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**APPENDIX H**

**PHASE I**

**ENVIRONMENTAL SITE ASSESSMENT**

**DRAFT**  
**Phase 1 Environmental Site Assessment**  
**for the**  
**Midway Site**  
**ALAMEDA COUNTY, CALIFORNIA**

*Prepared for:*

**Midway Power, LLC**  
700 Universe Boulevard  
Juno Beach, FL 33409

*Prepared by:*



**FOSTER WHEELER ENVIRONMENTAL CORPORATION**  
**Santa Ana, California**  
Project Number 2381.0002

October 2000

## **1.0 INTRODUCTION**

### **1.1 PURPOSE**

Foster Wheeler Environmental Corporation (Foster Wheeler Environmental) has prepared this report detailing a limited Phase I Environmental Site Assessment (ESA) for Midway Power LLC. This limited Phase I ESA was generally completed in accordance with the American Society of Testing and Materials (ASTM) E1527-97 standard and in accordance Foster Wheeler Environmental's proposal to Midway Power LLC, dated September 14, 2000.

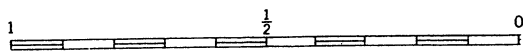
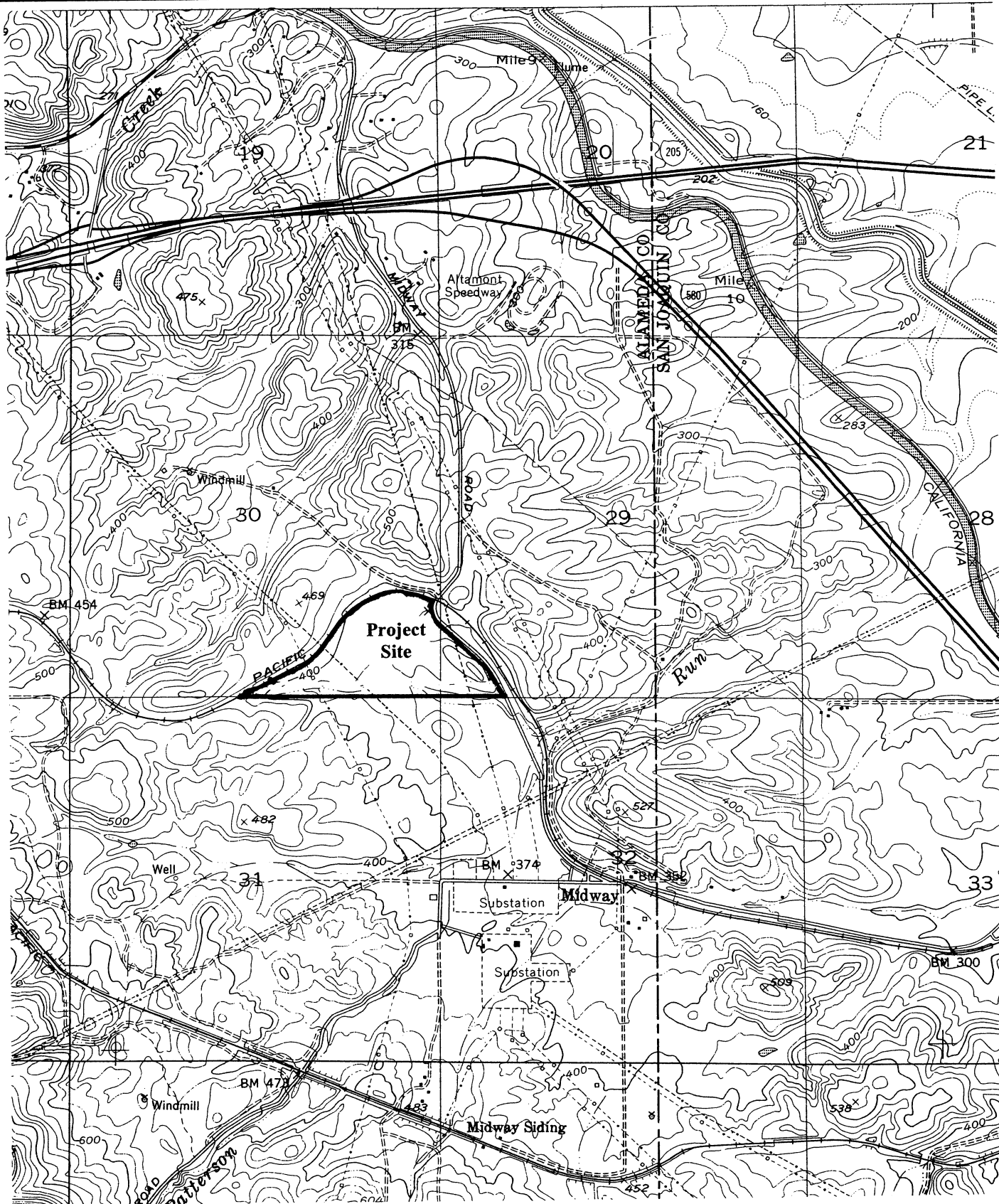
Information collected during the environmental assessment included a review of historical aerial photographs, review of available public records, and a search of databases for potential environmental contamination concerns within a 1-mile radius of the project site. A vicinity survey was conducted to observe site conditions and current hazardous materials management practices, if any, on properties adjacent to the project site. An on-site inspection was also conducted that included a formal site walk. Midway Power, LLC coordinated the site walk date with the property owner. The owner of the property was not interviewed per the request of Midway Power, LLC. In addition, local records available to the public were reviewed.

### **1.2 SITE DESCRIPTION**

The project site is approximately 60 acres and is located off Midway Road in an unincorporated area of Alameda County, California. The location of the project site is provided in Figure 1.

The project site is located approximately 1-mile south of Interstate 580 in eastern Alameda County. The site is located on the Midway, California USGS topographic map. Based on the topographic map, the elevation of the project site ranges from approximately 380 to 440 feet above mean sea level. The project site is generally flat with a hill located in the southeast portion of the site. The topography of the site is generally from the northwest to the southeast. Therefore, surface water also flows primarily to the southeast. The site is not located within a 100-year flood zone.

Nearby land uses include commercial power distribution, undeveloped open space for livestock grazing, windfarms, and undeveloped land. The project site is bordered Midway Road to the east. There is an open field located to the south of the property that appears to have been used for livestock/cattle grazing. Southern Pacific Railroad tracks formerly bordered the north and west boundary of the site. The railroad tracks have been removed but the ballast remains.



Scale Miles



Midway Power Project  
Midway Power, LLC

Figure 1  
Site Location

## 2.0 HISTORIC SITE CONDITIONS

### 2.1 INTERVIEWS

Midway Power, LLC requested that the property owner not be interviewed as part of this ESA.

### 2.2 HISTORICAL AERIAL PHOTOGRAPHS

A review of historical aerial photographs was performed using aerial photos from the U.S. Department of Agriculture, Soil Conservation Service (SCS), the U.S Department of Interior, Geological Survey and Cartwright Aerial Surveys. Table 1 identifies the aerial photos reviewed. The four aerial photographs reviewed are provided in Appendix A.

**Table 1.** Aerial photographs reviewed.

Date	Photo Identification	Scale
1958	Midway Road Area, Alameda County	1":600'
1965	Midway Road Area, Alameda County	1":600'
1979	Midway Road Area	1":833'
1993	Midway Road Area, Alameda County	1":1600'

#### 1958 Aerial Photograph

This photograph indicates that the site is undeveloped in 1958. The north portion of the project site is much darker than the southern half. This is likely due to the area being burned from a grass fire. It appears that there is transmission towers located within the property boundaries. Property to the south and west of the site appears to be primarily agricultural uses. Patterson Run Creek and the Midway Substation can be seen to the south of the site. Southern Pacific Railroad borders the site to the north and west. Midway Road is visible along the east border of the site. Property to the north appears generally undeveloped with some additional areas that appear to have been burned during a grass fire. There are several buildings approximately 0.5 miles north of the project location.

#### 1965 Aerial Photograph

The photograph indicates that the site is still primarily undeveloped. There are several structures clustered on the eastern border of the property. These structures are likely the livestock pen, windmill and trough that are currently situated at this location. The surrounding uses remain primarily agricultural or undeveloped. There appear to be more buildings in the area approximately 0.5 miles to the north of the site.

### **1979 Aerial Photograph**

Photograph description is similar to above. More of the Midway Substation is visible in this photograph. The substation appears to have expanded to the north.

### **1993 Aerial Photograph**

Photograph description is similar to above. The Altamont Racetrack and several clusters of residential homes are visible approximately 0.75 miles north of the project site.

## **2.3 HISTORICAL DOCUMENT REVIEW**

The Assessors Parcel No. for the project site is 99B-7825-1-4. The land use for this parcel is designated agricultural, combining district. The combining district designation requires a minimum lot size of 160 acres. Since the project parcel is less than 160 acres, it is considered a legal nonconforming lot. The project site also has a conditional use permit, C-4747, which was reviewed at the Alameda County Planning Department. The conditional use permit was issued on September 5, 1984 and allows construction of 110 privately operated wind electric generators at three parcels (99B-7825-1-3, -1-4, and -2). Parcels 99-B-7825-1-3 and -2 are located north and northwest of the project site.

A history file inquiry was conducted at the Alameda County Assessors Office based on the assessors parcel number. The file review indicated Agnes Martin owned the property prior to 1978. Information prior to 1978 is not available. The heirs of Agnes Martin (Simon and Tony Martin) obtained the property in June 1995. Antonio and Kathleen Martin and Alzira and S J Martin share half interest in the property and are the current owners. They obtained the property in October 1997.

Since an address is not available for the project site, a review of various city directories, street address directories and criss-cross directories could not be conducted to assist in identifying the former owners/tenants of the property.

## **2.4 PRIOR ENVIRONMENTAL INVESTIGATIONS**

No prior environmental investigation information for the site was found. The Department of Toxic Substances Control, the Regional Water Quality Control Board and Alameda County Environmental Health Department were contacted. The files for these agencies are organized by address and therefore could not be searched or reviewed.

## **3.0 CURRENT SITE CONDITIONS**

### **3.1 SITE INSPECTION AND CURRENT LAND USE**

On October 11, 2000, Ms. Jennifer Amdursky of Foster Wheeler Environmental performed an on-site reconnaissance and vicinity survey of the project site. The purpose of the on-site reconnaissance was to observe the physical condition of project site and note any areas of visible environmental concern. During the vicinity survey, a “drive-by” of the properties adjoining the 60-acre site was conducted to determine the nature of neighboring property development. Representative color photographs of the project site and adjacent properties were taken during the on-site and area reconnaissance and are provided in Appendix B.

A barbed wire and wood post fence border the site. There is access to the site is through a locked gate located off Midway Road on the east border of the site. The site is overlain with grasses and low growing vegetation. There are no trees located on the property. There is evidence that the land has been used for livestock grazing purposes; however, no livestock were at the project site during the site visit. A livestock pen, windmill, trough, and rusted tanker truck were located on the eastern border of the site. Several transmission towers were also located within the property boundaries. PVC piping connected the tanker truck to the windmill. It is assumed that the windmill pumped water into the tanker truck for storage purposes. The tanker truck has the word “flammable” printed on the side. The truck was rusted. When looking through holes in the tanker truck, no fluid or residue was observed. There was no sign of petroleum products on or beneath the truck. A broken pipe was also observed in the trough. It is also assumed that the windmill pumped water to the trough at one time; however, no connection was visible. There was no evidence of livestock dip-tank activities at the site. No material containers, power poles, transformers, fuel tanks or visible stains were observed during the site visit.

### **3.2 DESCRIPTION OF ADJACENT LAND USE**

The project site is bordered Midway Road to the east. A windmill farm is located on the east side of Midway Road. There is an open field located to the south of the property that appears to have been used for cattle grazing. Patterson Run Creek and the Midway Substation are located approximately 0.25 and 0.5 miles south of the project site, respectively. Southern Pacific Railroad tracks formerly bordered the north and west boundary of the site. The railroad tracks have been removed but the ballast still remains. Pesticides, herbicides and other weed control agents are often used along railroad tracks to control vegetation. However, stressed vegetation was not observed adjacent to the ballast. Property north and west of the former railroad are open fields. The only structures visible from the site to the north and west are transmission towers. The Altamont

Racetrack and a cluster of residences are located approximate 0.75 miles north of the site. Approximately ten 55-gallon drums containing gasoline and diesel were observed at the Altamont Racetrack. The drums appeared to be in good condition.

## **4.0 REVIEW OF REGULATORY AGENCY RECORDS**

### **4.1 HAZARDOUS/REGULATED WASTES**

The Hazardous Waste Information System, maintained by the California Environmental Protection Agency (EPA) and the Department of Toxic Substance Control (DTSC), identified one facility within 0.5 and 0.75 miles southeast of the site. The facility, U.S. Windpower located at 17350 Patterson Pass Road, is listed as having two EPA ID#: CAC000238633 and CAL912215421. The project site was not identified on this database.

### **4.2 UNDERGROUND STORAGE TANKS**

One site was identified within a 1-mile radius of the project site under the Leaking Underground Storage Tanks Information System (LUSTIS) database, which is maintained by the State Water Resources Control Board (SWRCB). Appropriate action was taken at the facility and the case has been closed.

The Permitted Underground Storage Tanks (UST) database, which was maintained by the SWRCB from July 1984 to 1987 (see BBL Environmental Record Search in Appendix C) identified one site within a 0.5 mile radius that has a 355-gallon gasoline tank that was installed in 1974. The specific location is not identified in the database, however the owner is identified as: Thomas Joe Copeland, P.O. Box 628, Livermore, California.

### **4.3 HAZARDOUS MATERIALS INCIDENTS AND INVESTIGATIONS**

According to the USEPA Emergency Response Notification System database, there have been no documented hazardous material releases or spills at the project site or within a 0.5 mile vicinity.

### **4.4 TRANSFORMERS AND PCBS**

PCB-containing oils are commonly found in electrical transformers, capacitors, and various kinds of hydraulic fluids. No sites were identified within a 0.5-mile radius of the site in the PCB Waste Handlers Database. At this time, there are no known sources of PCBs at the site.

## 5.0 REVIEW OF ENVIRONMENTAL DATABASES

BBL Environmental Information performed a search of regulatory databases to determine whether hazardous materials releases have occurred on properties within a given radius of the site. The search radii varied for each regulatory database, from a 1/8-mile radius to a 1-mile radius, as specified in the ASTM E1527-97 standard. A detailed description of the sites identified by BBL, a radius map, and a description of the databases are provided in Appendix C. A brief summary of the results of the database searches is provided below. Note that BBL searched all databases required by the ASTM standard, plus some additional databases not required by ASTM.

### 5.1 FEDERAL AGENCY SOURCES

- USEPA, *National Priorities List (NPL), Final and Proposed Sites*
- USEPA, *Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) Sites Database, EPA Region IX (California)*.
- USEPA, *Emergency Response Notification Systems (ERNS)*.
- USEPA, *Resource and Conservation Recovery Information System (RCRIS) Region IX Database, RCRA Treatment Storage and Disposal Facilities (RCRA-TSD Facilities)*.
- USEPA, *RCRA Hazardous Waste Generator Listing (RCRA Generators)*

### 5.2 CALIFORNIA AND LOCAL REGULATORY AGENCY SOURCES

- California EPA, *List of Active Annual Workplan Sites, CALSITES Database*
- California Office of Planning and Research, *State of California Hazardous Waste and Substances Sites List (CORTESE List)*
- Regional Water Quality Control Board (RWQCB), Los Angeles Region, *Leaking Underground Storage Tanks Case Listing*
- California EPA, *Hazardous Waste Information System (HWIS)*

### 5.3 LANDFILLS AND OPEN DUMPS

- California Waste Management Board, *Solid Waste Information System (SWIS), Active, Inactive, and Closed Landfill Sites*

### 5.4 COMPILATION OF LISTED PROPERTIES

The BBL environmental database search did not list any sites within 1 mile of the project site on the NPL, CERCLIS, RCRA-TDS, RCRA Violators List, Annual Work Plan, CORTESE and solid waste disposal sites databases. No sites were identified within 0.5

miles of the project site on the Emergency Response Notification System list or RCRA Generators list.

#### **5.4.1 LUSTIS Database**

One site was listed within a 1-mile radius of the project site under the Leaking Underground Storage Tank Information System (LUSTIS) database, which is maintained by the SWRCB. U.S. Windpower is located between 0.5 and 0.75 miles southeast of the site. Soil affected by the leaking tank was determined to have a maximum TPH of 700 ppm. Appropriate action was taken at the site and the case has been closed.

#### **5.4.2 HWIS Database**

The HWIS database is maintained by the DTSC to track the movement and disposal of hazardous waste. This database identified one facility within a 0.5-mile radius of the project site. U.S. Windpower was identified as having two EPA ID#s: CAC000238633 and CAL912215421.

#### **5.4.3 Permitted UST Database**

The database reflects information that includes all tanks and surface impoundments in use or closed after 1974. This database identified one site within 0.5 miles of the project site that has a permitted UST. The UST is located on a farm owned by Thomas Joe Copeland. The exact location or address of the farm is unknown. The UST was installed in 1974 and is a 355 gallon unlined carbon steel tank containing regular gasoline.

## **6.0 ASBESTOS ASSESSMENT**

Asbestos containing materials (ACMs) were utilized in building materials beginning in 1910. Due to increasing concerns over the health effects of asbestos, use of friable ACM was restricted beginning in 1972 and banned in 1978 by USEPA. There were no structures identified on the property that are likely to contain asbestos.

## **7.0 CONCLUSIONS AND RECOMMENDATIONS**

### **7.1 CONCLUSIONS**

The environmental record search and site reconnaissance indicate that there have not been any hazardous materials or wastes released, stored or disposed within the boundaries of the site.

During the vicinity survey approximately ten 55-gallon drums containing gasoline and diesel were observed at Altamont Racetrack. The racetrack is located approximately 0.75 miles north of the site and unlikely to have any environmental impact on the project site.

A visual survey of the project site and the adjacent property also did not result in the identification of any recognized environmental conditions as defined by ASTM E1527-97. A rusted tanker truck is located on the east border of the property. It is currently empty and appears to have been used for water storage. No petroleum residue or stains were observed on or beneath the truck. No hazard materials, containers, transformers, fuel tanks, or stressed vegetation were noted during the on-site reconnaissance.

### **7.2 RECOMMENDATIONS**

Based on the environmental record search, the on-site reconnaissance and vicinity survey, it does not appear that the site has been environmentally impacted by the use, storage, or disposal of hazardous materials or hazardous waste. The on-site reconnaissance did not indicate any current use or storage of hazardous materials. Foster Wheeler recommends that the current owner of the property be interviewed to meet the Phase 1 ESA requirements of ASTM E1527-97. The interview with the owner should include confirmation of the following: no hazardous materials have been used, stored or buried on site; the tanker truck was solely used for the purposes of water storage; the truck's gas tank and oil reservoir are empty; and the depth of the water well. Although stressed vegetation was not observed adjacent to the ballast of the former railroad tracks, it may be beneficial to determine the right-of-way of the former railroad to better understand the vicinity that herbicides, pesticides and other weed control agents may have been applied.

## **8.0 LIMITATIONS**

This report is prepared for the sole use of Midway Power LLC. The scope of work and the findings should not be considered suitable for other potential users and any use by other parties shall be at their sole risk.

This report is based on review of the limited data, as described therein, in accordance with generally accepted professional practices, applicable to work of similar nature and complexity similar localities, at the time the services were performed. No warranty, expressed or implied, is made. The scope of this report is limited in nature and intended to provide a preliminary evaluation of the current conspicuous environmental conditions at the site at the time of the report and does not constitute definitive or in-depth review of all the potential environmental impairments and situations. Foster Wheeler Environmental assumes no responsibility for conditions of which it is unaware and/or as to which there was no opportunity or request for review.

It is important to recognize that even the most comprehensive scope of services may not detect all the environmental liabilities at a particular site. Therefore, nothing herein shall be construed as a representation or certification that the site is either fully characterized or is free of environmental impairments and/or contamination.

In order to conduct the investigation for this report, Foster Wheeler Environmental relied upon the readily available information, as discussed in the report and unless explicitly included in our scope included no verification of the accuracy or completeness of documentation or data or possible withholding of information by the interviewees, agencies, or other parties.

## 9.0 REFERENCES

Alameda County of Environmental Health. Telephone conversation with Eailene Coleman-Ali, public records. October 18, 2000.

BBL Environmental Information. 2000. Environmental Record Search, Topographical Map Search. Midway Project, Alameda County, California. Prepared October 10, 2000.

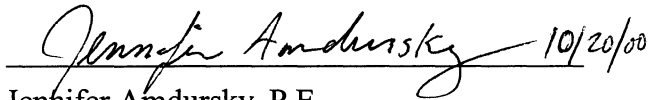
Department of Toxic Substances Control. Telephone conversation with Lule Varela, public records. October 17, 2000.

Regional Water Quality Control Board. Telephone conversation with Malinda Wong, public records. October 18, 2000.

FEMA Flood Information: [www.esri.com/hazards/makemap.html](http://www.esri.com/hazards/makemap.html). Information downloaded October 18, 2000.

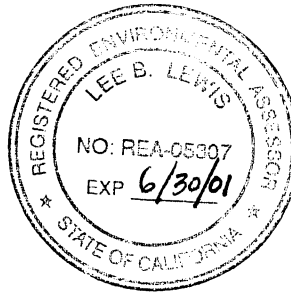
## 10.0 SIGNATURE OF ENVIRONMENTAL PROFESSIONALS

Preparation of this Report was conducted by the following Foster Wheeler Environmental Corporation personnel:

  
Jennifer Amdursky, P.E.

Review of the Report was performed by the following Foster Wheeler Environmental Corporation personnel:

  
Lee Lewis,  
Registered Environmental Assessor



# APPENDIX A

## Aerial Photographs



5

ALA

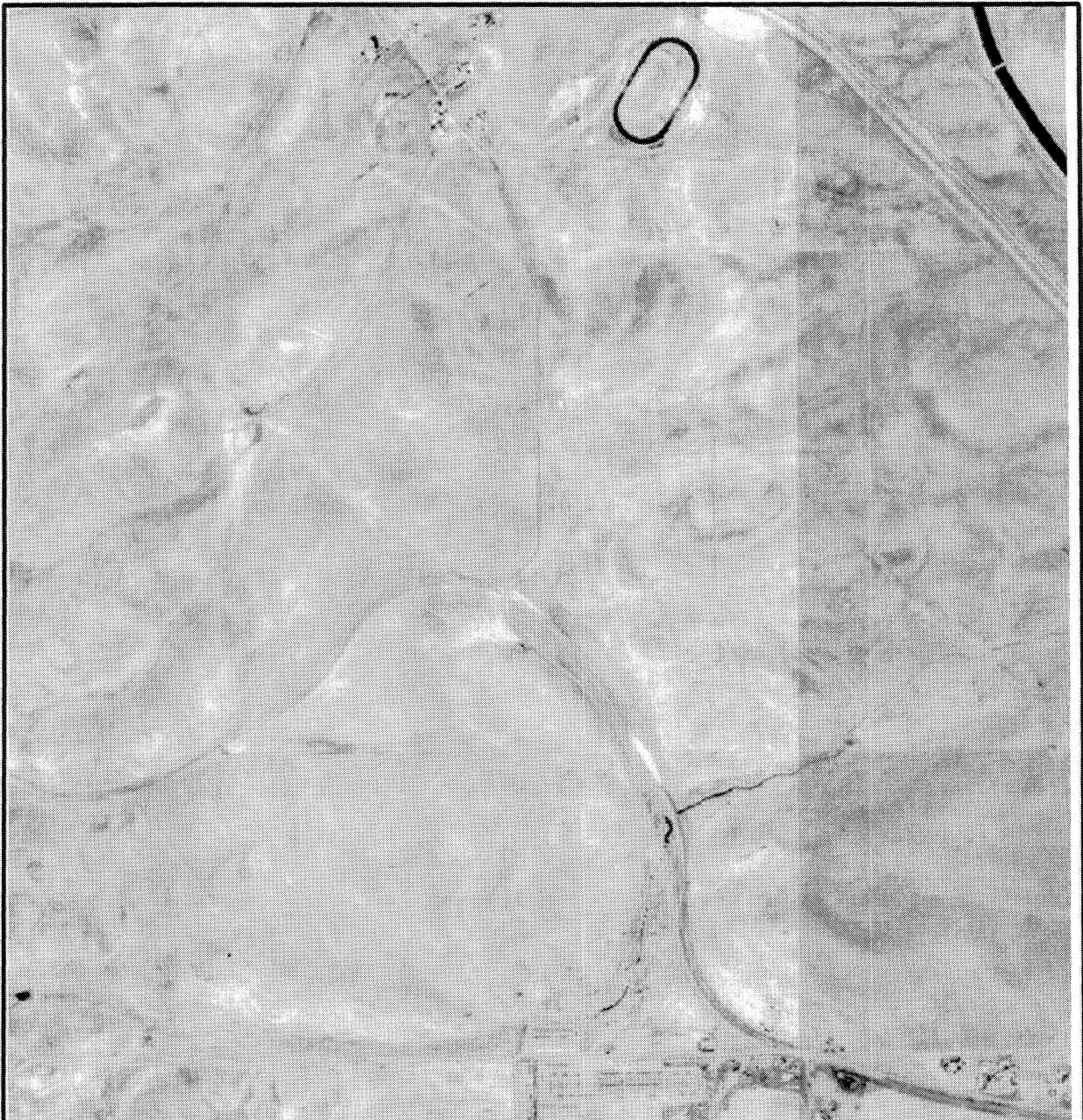
29



5961  
1965



6261  
1979



Scale: 1 inch to 1600 feet



UTM North is straight up

Longitude: -121° 34' 6.9"  
Latitude: 37° 43' 24.4"

UTM Easting: 626151 meters  
UTM Northing: 4175892 meters  
UTM Zone: NAD 10

County: ALAMEDA

Project:  
Quadrangle:  
Date: 15 Jun 1993  
Film Type:

Source: U.S. Dept of Interior, Geological Survey

AERIAL PHOTOGRAPH OF THE VICINITY OF THE SUBJECT SITE LOCATED AT  
FPL MIDWAY PROJECT, ALAMEDA CO.

# APPENDIX B

## Site Photographs

# APPENDIX C

## BBL Environmental Record Search

# ENVIRONMENTAL RECORD SEARCH

for the site

FPL MIDWAY PROJECT, ALAMEDA CO.

performed for

FOSTER WHEELER

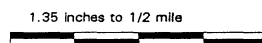
10-10-2000






## INTRODUCTION

This document, prepared on the request of FOSTER WHEELER, reports the findings of BBL's investigation of environmental concerns in the vicinity of Fpl Midway Project, Alameda Co.. It is divided in the following segments:

- **Map** - showing the location of the identified sites relative to the subject site. A total of 2 separate sites were identified.
- **Topo Graphic Map** - showing the surrounding area of the subject site.
- **Summary** - listing the identified sites by street names.
- **Final Report** - describing the sources investigated and the resulting findings:

Federal sources				Page:1
National Priority List	no sites	within 1 mile radius.		1
CERCLIS	no sites	within 1 mile radius.		1
NFRAP	no sites	within 1 mile radius.		2
Federal Facilities	no sites	within 1 mile radius.		2
Emergency Response Notification System	no sites	within half of a mile.		2
Site Enforcement Tracking System	no sites	within 1 mile radius.		2
Enforcement Docket System (DOCKET/CDETS)	no sites	within half of a mile.		2
C-Docket	no sites	within half of a mile.		2
RCRA Violators List	no sites	within 1 mile radius.		3
Federal Enforcement Dockets	no sites	within 1 mile radius.		3
California State sources				
Annual Work Plan	no sites	within 1 mile radius.		3
CALSITES	no sites	within 1 mile radius.		3
CALSITES - No Further Action	no sites	within half of a mile.		4
Cortese	no sites	within 1 mile radius.		4
Leaking Underground Storage Tanks	1 site	within 1 mile radius.		4
Solid Waste Information System	no sites	within 1 mile radius.		5
Well Investigation Program	no sites	within 1 mile radius.		5
Drinking Water Program	no sites	within 1 mile radius.		5
Regional sources				
Toxic Releases	no sites	within 1 mile radius.		6
Toxic Pits	no sites	within 1 mile radius.		6
Solid Waste Assessment Test - Regional	no sites	within 1 mile radius.		6
Operating permits				
RCRA Generators	no sites	within half of a mile.		7
RCRA - TSD Facilities	no sites	within 1 mile radius.		7
SARA Title III,section 313 (TRIS)	no sites	within half of a mile.		7
Nuclear Regulatory Commission Licensees	no sites	within half of a mile.		7
PCB Waste Handlers Database	no sites	within half of a mile.		8
Permit Compliance System (PCS)	no sites	within half of a mile.		8
AIRS Facility System (AFS)	no sites	within half of a mile.		8
Section Seven Tracking System	no sites	within half of a mile.		8
FIFRA/TSCA tracking system	no sites	within half of a mile.		8
Federal Facilities Information System (FFIS)	no sites	within half of a mile.		8
Chemicals in Commerce Information System	no sites	within half of a mile.		9
FINDS EPA Facility Index System	no sites	within half of a mile.		9
Hazardous Waste Information System	1 site	within half of a mile.		9
Underground Storage Tanks	1 site	within half of a mile.		9



- |   |   |
|---|---|
|  | ENVIRONMENTAL CONCERNS - HIGH PRIORITY                      |
|  | ENVIRONMENTAL CONCERNS                                      |
|  | ENVIRONMENTAL CONCERNS - WITH A 'NO FURTHER ACTION' STATUS' |
|  | OPERATING PERMITS ONLY                                      |
|  | WATER WELLS   |

APPROXIMATE LOCATION OF IDENTIFIED SITES IN THE VICINITY OF SUBJECT SITE  
AT FPL MIDWAY PROJECT, ALAMEDA CO.

2. U. S. WINDPOWER, INC.

17350 PATTERSON PASS RD

UNKNOWN LOCATIONS

THOMAS JOE COPELAND

PO BOX 628

# **ENVIRONMENTAL RECORDS SEARCH**

## **SUMMARY**

**ENVIRONMENTAL RECORDS SEARCH FOR**

Page: 1

FPL MIDWAY PROJECT, ALAMEDA CO.

Date: 10-10-2000

Job: FWSF3403

ADDRESS	CITY	LOCATION	SOURCE	MAP TUS	PAGE	MAPDIR LOC
; ENVIRONMENTAL CONCERNS, WITHIN 1/2 - 3/4 MILE OF THE SUBJECT SITE						
17350	PATTERSON PASS RD	LIVERMORE	US WINDPOWER U. S. WINDPOWER, INC. U.S. WINDPOWER - MIDWAY SITE	LUST HWIS HWIS	9 9 9	5 2 SE 9

**OPERATING PERMITS ONLY FOR**

Page: 1

FPL MIDWAY PROJECT, ALAMEDA CO.

Date: 10-10-2000

Job: FWSF3403

ADDRESS	CITY	LOCATION	SOU- RCE	MAP TUS	PAGE MAPDIR LOC
;					
<b>SITES WITH UNKNOWN OR NON-SPECIFIC LOCATION</b>					
PO BOX 628	LIVERMORE	THOMAS JOE COPELAND	UST	8798A	10

## REFERENCED SOURCES

Date: 10-10-2000

Job: FWSF3403

### FEDERAL SOURCES

NPL NATIONAL PRIORITY LIST (07/03/00)  
CERCLA CERCLIS (07/00)  
NFRAP NFRAP (07/00)  
FedFac FEDERAL FACILITIES (07/00)  
ERNS EMERGENCY RESPONSE NOTIFICATION SYSTEM (1989-1999)  
SETS SITE ENFORCEMENT TRACKING SYSTEM (06/21/00)  
CDETS ENFORCEMENT DOCKET SYSTEM (DOCKET/CDETS)  
CD C-DOCKET (07/00)  
RV RCRA VIOLATORS LIST (07/00)  
FD FEDERAL ENFORCEMENT DOCKETS

### CALIFORNIA STATE SOURCES

AnnWrk	ANNUAL WORK PLAN (02/02/00)					
	BKLG Backlog	DLST	Delisted from the AWP	AWP	Active AWP site	
	REFRW Referred to the RWQB	COM	Certified, maint mode	REFRC	Referred to RCRA	
	CERT Certified after remediation					
CalSite	CALSITES (02/02/00)					
	PEARL Prel Assmnt Low priority	NFA	No Further Action for DTSC	PEARM	Prel Assmnt Medium priority	
	EPA EPA is the lead agency	PEARH	Prel Assmnt High priority	RCRA	Mitigated under the RCRA	
	SSR Site Screening Required	RWQCB	Mitigated under RWQB	HRR	Hazard Ranking Required	
	CNTY County lead	PRPR	PRP Search Required	OAL	Other Agency lead	
CS-nfa	CALSITES - NO FURTHER ACTION (02/02/00)					
	NFA No Further Action	RED	Closed Case			
CS	CORTESE (01/00)					
	WRCBT Tank leak	DHS3	Cont large well	DHS1	Abandoned haz waste site	
	DHS5 section 25356	DHS2	Cont small well	CWMB	Disposal site	
LUST	LEAKING UNDERGROUND STORAGE TANKS (09/99)					
	0 No action	3B	Prel site assmnt underway	7	Remedial action underway	
	1 Leak being confirmed	5C	Pollution characterization	8	Post remedial action monitoring	
	3A Site workplan submitted	5R	Remediation plan	9	Case closed	
SWIS	SOLID WASTE INFORMATION SYSTEM (09/99)					
WIP	WELL INVESTIGATION PROGRAM					
WQ	DRINKING WATER PROGRAM					

### REGIONAL SOURCES

NT TOXIC RELEASES  
TP TOXIC PITS (01/99)  
SR SOLID WASTE ASSESSMENT TEST - REGIONAL (01/99)

### OPERATING PERMITS

RCRA	RCRA GENERATORS (09/99)					
	L Large Generator	T	Transporter	S	Small Generator	
TSD	RCRA - TSD FACILITIES (09/99)					
	I Incinerator	D	Land Disposal	T	Storage/Treatment	
SARA	SARA TITLE III, SECTION 313 (TRIS) (07/99)					
Nucl	NUCLEAR REGULATORY COMMISSION LICENSEES (07/99)					
PCB	PCB WASTE HANDLERS DATABASE (07/99)					
PCS	PERMIT COMPLIANCE SYSTEM (PCS) (07/99)					
AFS	AIRS FACILITY SYSTEM (AFS) (01/99)					
PE	SECTION SEVEN TRACKING SYSTEM (07/99)					
FIFRA	FIFRA/TSCA TRACKING SYSTEM (07/99)					
FIFS	FEDERAL FACILITIES INFORMATION SYSTEM (FFIS) (07/99)					
CICIS	CHEMICALS IN COMMERCE INFORMATION SYSTEM (07/99)					
FN	FINDS EPA FACILITY INDEX SYSTEM (07/99)					
HWIS	HAZARDOUS WASTE INFORMATION SYSTEM (1984-1998)					
UST	UNDERGROUND STORAGE TANKS					

## **ENVIRONMENTAL RECORDS SEARCH**

### **LISTED BY SOURCE**

## INTRODUCTION

BBL has used its best effort but makes no claims as to the completeness or accuracy of the referenced government sources or the completeness of the search. Our records are frequently updated but only as current as their publishing date and may not represent the entire field of known or potential hazardous waste or contaminated sites. To ensure complete coverage of the subject property and surrounding area, sites may be included in the list if there is any doubt as to the location because of discrepancies in map location, zip code, address, or other information in our sources. For additional information call 619 793-0641.

The following government sources have been searched for sites within one mile radius, unless otherwise stated, of the subject location.

## FEDERAL SOURCES

### NPL National Priority List

EPA has prioritized sites with significant risk to human health and the environment. These sites receive remedial funding under the Comprehensive Environmental Response Conservation and Liability Act (CERCLA).

*No listings within 1 mile radius of the subject site.*

### CERCLIS Comprehensive Environmental Response, Compensation, and Liability Information System

CERCLIS is a database used by the EPA to track activities conducted under the Comprehensive Environmental Response and Liability Act CERCLA (1980) and the amendment the Superfund Amendments and Reauthorization Act SARA (1986).

Sites to be included are identified primarily by the reporting requirements of hazardous substances Treatment, Storage and Disposal (TSD) facilities and releases larger than specific Reportable Quantities (RQ), established by EPA.

Using the National Oil and hazardous Substance Pollution Contingency Plan(National Contingency Plan) the EPA set priorities for cleanup.

The EPA rates National Contingency Plan sites according to a quantitative Hazard Ranking System (HRS) based on the potential health risk via any one or more pathways: groundwater, surface water, air, direct contact, and fire/explosion.

The EPA and state agencies seek to identify potentially responsible parties(PRP) and ultimately Responsible Parties (RP) who can be required to finance cleanup activities, either directly or through reimbursement of federal Superfund expenditures.

*No listings within 1 mile radius of the subject site.*

### NFRAP No Further Remedial Action Planned sites (CERCLIS)

As of February 1995, CERCLIS sites designated 'No Further Remedial Action Planned' NFRAP have been removed from CERCLIS. NFRAP sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly without the site being placed on the NPL, or the contamination was not serious enough to require Federal Superfund action or NPL consideration.

EPA has removed these NFRAP sites from CERCLIS to lift unintended barriers to the redevelopment of these properties. This policy change is part of EPA's Brownfields Redevelopment Program to help cities, states, private investors and affected citizens promote economic redevelopment of unproductive urban sites.

*No listings within 1 mile radius of the subject site.*

#### FEDFAC Federal Facilities

As part of the CERCLA program, federal facilities with known or suspected environmental problems, the Federal Facilities Hazardous Waste Compliance Docket is tracked separately to comply with a Federal Court order.

*No listings within 1 mile radius of the subject site.*

#### ERNS Emergency Response Notification System

The ERNS is a national computer database used to store information on unauthorized releases of oil and hazardous substances. The program is a cooperative effort of the Environmental Protection Agency, the Department of Transportation Research and Special Program Administration's John Volpe National Transportation System Center and the National Response Center.

There are primarily five Federal statutes that require release reporting the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) section 103; the Superfund Amendments and Reauthorization Act (SARA) Title III Section 304; the Clean Water Act of 1972(CWA) section 311(b)(3); and the Hazardous Material Transportation Act of 1974(HMTA section 1808(b).

*No listings within half of a mile radius of the subject site.*

#### SETS Site Enforcement Tracking System (SETS)

When expending Superfund monies at a CERCLA (Comprehensive Environmental Response, Compensation and Liability Act) Site, EPA must conduct a search to identify parties with potential financial responsibility for remediation of uncontrolled hazardous waste sites. EPA regional Superfund Waste Management Staff issue a notice letter to the potentially responsible party (PRP). The status field contains the EPA ID number and name of the site where the actual pollution occurred.

*No listings within 1 mile radius of the subject site.*

#### DO Enforcement Docket System (DOCKET)/Consent Decree Tracking System (CDETS)

DOCKET tracks civil judicial cases against environmental polluters, while CDETS processes court settlements, called consent decrees.

*No listings within half of a mile radius of the subject site.*

#### CD Criminal Docket System (C-DOCKET)

The Criminal Docket System is a comprehensive automated system for tracking criminal enforcement actions. C-Docket handles data for all environmental statutes and tracks enforcement actions from the initial stages of investigations through conclusion.

*No listings within half of a mile radius of the subject site.*

#### RCRA RCRA Violators List (CORRACTS)

The Resource Conservation and Recovery Act of 1976 provides for "cradle to grave" regulation of hazardous wastes. RCRA requires regulation of hazardous waste generators, transporters, and storage/treatment/disposal sites. Evaluation to potential violations, ranging from manifest requirements to hazardous waste discharges, is typically conducted by the US EPA. This database is also known as Corrective Action Report (CORRACTS)

If enforcement is required, it is typically delegated to a state agency.

*No listings within 1 mile radius of the subject site.*

#### FD Federal Enforcement Dockets

The US EPA, Office of Enforcement, maintains a list of sites under enforcement by the US EPA.

*No listings within 1 mile radius of the subject site.*

### CALIFORNIA STATE SOURCES

#### AW Annual Work Plan (previously known as Bond Expenditure Plan)

The California Health and Safety code, as amended by AB 129, requires the California Environmental Protection Agency to develop a site-specific expenditure plan as the basis for an appropriation of California Hazardous Substance Cleanup Bond Act of 1984 funds.

The Agency is also required to update the report annually and report any significant adjustments to the Legislature on an ongoing basis. The plan identifies California hazardous waste sites targeted for cleanup by responsible parties, the California and the Federal Environmental Protection Agency over the next five years.

Status Codes:	BKLG	Backlog, Potential Annual Work Plan Site
	AWP	Active Annual Work Plan site
	COM	Certified, but still in Operation & Maintenance mode
	CERT	Certified after remediation
	DLST	Delisted from the AWP
	REFRC	Former AWP site referred to RCRA
	REFRW	Former AWP site referred to the Regional Water Quality Board

*No listings within 1 mile radius of the subject site.*

#### CALS CALSITES

The Historical Abandoned Site Survey Program identified certain potential hazardous waste sites. The identification of these sites were generally not made via sampling and site characterization, they were made as a result of file searches and windshield surveys. Some of the sites may have had a site inspection with sampling.

The information has been compiled into this database by the California Environmental Protection Agency, Department of Toxic Substance Control (DTSC) in accordance with Section 25359.6 of the California Health and Safety Code.

This database was previously known as The Abandoned Sites Program Information System ASPIS.

Status Codes:	PEARL	Preliminary Endangerment Assessment Required,Low priority
	PEARM	Preliminary Endangerment Assessment Required,Medium priority
	PEARH	Preliminary Endangerment Assessment Required,High priority
	SSR	Site Screening Required
	HRR	Hazard Ranking Required
	PRPR	Potential Responsible Party Search Required
	EPA	EPA is the lead agency
	RCRA	Mitigated under the RCRA permitting program
	RWQCB	Mitigated under the lead of the Regional Water Quality Board
	CNTY	County lead
	OAL	Other Agency lead

*No listings within 1 mile radius of the subject site.*

#### CALS CALSITES - No Further Action

This section includes the sites on the Calsite list, which have been flagged for no further action by the California Environmental Protection Agency, Department of Toxic Substance Control (DTSC) in accordance with Section 25359.6 of the California Health and Safety Code.

Status Codes:	NFA	No Further Action for DTSC
	RED	Closed Case marked for removal from list

*No listings within half of a mile radius of the subject site.*

#### CORTESE State of California Office of Planning and Research

This database is a consolidation of information from various sources. It is maintained by the State Office of Planning and Research and lists potential and confirmed hazardous waste or substances sites.

Facilities that have been reported elsewhere in this report will not be included in the listing below.

Status Codes:	WRCBT	Tank leaks. Compiled by Water Resource Control Board
	DHS1	Abandoned hazardous waste site. Compiled by Toxic Substance Control Div. of DHS
	DHS2	Contaminated public water drinking wells serving less than 200 connections. Compiled by Env. Health Div. of DHS
	DHS3	Contaminated public water drinking wells serving more than 200 connections
	DHS5	Sites pursuant to section 25356 of the Health and Safety Code (see BEP)
	CWMB	Solid waste disposal sites with known migration of hazardous waste

*No listings within 1 mile radius of the subject site.*

**LUST    Leaking Underground Storage Tanks - California State**

The Leaking Underground Storage Tanks Information System is maintained by the State Water Resource Board pursuant to Section 25295 of the Health and Safety Code.

Status Codes:	0	No action
	1	Leak being confirmed
	3A	Prel site assessment workplan submitted
	3B	Prel site assessment underway
	5C	Pollution characterization
	5R	Remediation plan
	7	Remedial action underway
	8	Post remedial action monitoring
	9	Case closed
	P	Case purged from agency list

Site: US WINDPOWER  
Address: 17350 PATTERSON PASS RD  
City: LIVERMORE  
Map Loc: 2 - within 1/2 - 3/4 mile SE of the subject  
Status: 9 - Case Closed.

The case, 01-1625, .

ARCHIVED 6/6/96 CONTROL NO 120-091  
SRC 0904741  
091

Site Information  
Max TPCB Soil: 700

**SWIS    Solid Waste Information System**

As legislated under the Solid Waste Management and Resource Recovery Act of 1972, the California Waste Management Board maintains lists of certain facilities, i.e. Active solid waste disposal sites, Inactive or Closed solid waste disposal sites and Transfer facilities.

*No listings within 1 mile radius of the subject site.*

**WIP    Well Investigation Program**

The Well Investigation Program (AB1803) identifies groundwater that is already contaminated and empowers the California Department of Health Services and local health officers to order ongoing monitoring programs. The focus of this program is to monitor and protect drinking water.

*No listings within 1 mile radius of the subject site.*

**WQ    Drinking Water Program**

The California Health and Safety Code section 116275-116300 stipulates that it is the intent of the Legislature to improve laws governing drinking water quality to improve upon the minimum requirements of the federal Safe Drinking Water Act Amendments of 1986, to establish primary drinking water standards that are at least as stringent as those established under the federal Safe Drinking Water Act, and to establish a program under this chapter that is more protective of public health than the minimum federal requirements.

In order to provide for the orderly and efficient delivery of safe drinking water the State Department of Health Services collect information on the quality of public drinking water wells under the California Drinking Program.

Below, the latest and maximum analysis of contaminants are reported (only positive reading are included). MCL is the Maximum Contaminant Level or enforceable drinking water standard. RPHL is the Recommended Public Health Level. Additional information is available from BBL upon request.

*No listings within 1 mile radius of the subject site.*

## REGIONAL SOURCES

### NT Toxic Releases

The California Regional Water Quality Control Boards or local Department of Health Services keeps track of toxic releases to the environment. These lists are known as Unauthorized Releases, Spill, Leaks, Investigations and Cleanups (SLIC), Non-Tank Releases, Toxics List or similar, depending on the local agency.

*No listings within 1 mile radius of the subject site.*

### TPC Toxic Pits

The Toxic Pits Clean-Up Act (Katz Bill) places strict limitations on the discharge of liquid hazardous wastes into surface impoundment, toxic ponds, pits and lagoons. Regional Water Quality Control Boards are required to inspect all surface impoundment annually, in addition, every facility was required to file a Hydrogeological Assessment Report. Recent legislation allows the Department of Health Services to exempt facilities that closed on or before December 31, 1985, if a showing is made that no significant environmental risk remains (AB1046).

Special exemption provisions have been created for surface impoundment that receive mining wastes.

*No listings within 1 mile radius of the subject site.*

### SWAT(R) Solid Waste Assessment Test - Regional

This program, provided for under the Calderon legislation (Section 13273 of the Water Code), requires that disposal sites with more than 50,000 cubic yards of waste provide sufficient information to the regional water quality control board to determine whether or not the site has discharged hazardous substances which will impact the environment.

Site operators are required to file Solid Waste Assessment Test reports on a staggered basis. Operators of the 150 highest ranking (Rank 1) sites were required to submit Solid Waste Assessment Tests by July 1, 1987, Rank 2 in 1988 and so on.

Operators submit water quality tests to the Regional Water Quality Control Board, describing surface and groundwater quality and supply; and the geology within 1 mile of the site. Air quality tests are submitted to the local Air Quality Management District or Air Pollution Control District.

This program is currently not funded and thus not updated.

Status Codes: Facilities or sites are ranked within each region on a scale 1-15 according to priority.

*No listings within 1 mile radius of the subject site.*

## OPERATING PERMITS

Various agencies issue operating permits or regulate the handling, movements, storage and disposal of hazardous materials and require mandatory reporting. The inclusion in this section does not imply that an environmental problem exists presently or has in the past.

The sources referenced below have been searched within half a mile radius, unless otherwise stated, of the subject site.

### RCRA-G Resource Conservation and Recovery Information System - Generators

The Environmental Protection Agency regulates generators of hazardous material through the Resource Conservation and Recovery Act (RCRA). All hazardous waste generators are required to notify EPA of their existence by submitting the Federal Notification of Regulated Waste Activity Form (EPA Form 8700-12) or a state equivalent form. The notification form provides basic identification information and specific waste activities.

Status Codes: L - Generators who generate at least 1000 kg/mo of non-acutely hazardous waste (or 1 kg/mo of acutely hazardous waste).  
S - Generators who generate 100 kg/mo but less than 1000 kg/mo of non-acutely hazardous waste.  
T - Transporter.

*No listings within half of a mile radius of the subject site.*

### RCRA-D Resource Conservation and Recovery Information System - Treatment, Storage & Disposal

The Environmental Protection Agency regulates the treatment, storage and disposal of hazardous material through the Resource Conservation and Recovery Act (RCRA). All hazardous waste TSD facilities are required to notify EPA of their existence by submitting the Federal Notification of Regulated Waste Activity Form (EPA Form 8700-12) or a state equivalent form as well as part A (EPA form 8700-23) and Part B of their Hazardous Waste Permit Application.

Status Codes: I Incinerator  
T Storage/Treatment facility other than Incinerator  
D Land Disposal Facility

*No listings within 1 mile radius of the subject site.*

### SARA SARA Title III, section 313 (TRIS)

Title III of the Superfund Amendments and Reauthorization Act, Section 313, also known as Emergency Planning and Community Right-to-Know Act of 1986 requires owners or operators of facilities with more than 10 employees and are listed under Standard Industrial Classification (SIC) Codes 20 through 39 to report the manufacturing, processing or use of more than a threshold of certain chemical or chemical categories listed under section 313. This data base is also known as Toxic Release Information System (TRIS).

Below summary information for the last five year period is reported grouping the releases into air, water, underground injection, land, public offsite treatment (potw) and transportation offsite.

*No listings within half of a mile radius of the subject site.*

### NC Nuclear Regulatory Commission Licensees

The Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards has been mandated (10 CFR Ch 1.42) to protect the public health and safety, the common defense and security, and the environment by licensing, inspection, and environmental impact assessment for all nuclear facilities and activities, and for the import and export of special nuclear material.

*No listings within half of a mile radius of the subject site.*

PCB      PCB Waste Handlers Database

The U.S. Environmental Protection Agency tracks generators, transporters, commercial stores and/or brokers and disposers of PCB's in accordance with the Toxic Substance Control Act.

*No listings within half of a mile radius of the subject site.*

PCS      Permit Compliance System

PCS is a database which contains data on National Pollutant Discharge Elimination System (NPDES) permit holding facilities. PCS was developed by The U.S. Environmental Protection Agency to meet the information needs of the NPDES program under the Clean Water Act. PCS tracks permit, compliance, and enforcement states of NPDES facilities.

*No listings within half of a mile radius of the subject site.*

AFS      AIRS Facility System

AFS contains emissions and compliance data on air pollution point sources tracked by the U.S. EPA and state and local environmental regulatory agencies. There are seven "criteria pollutants" for which data must be reported to EPA and stored in AIRS: PM10 (particulate matters less than 10 microns in size), carbon monoxide, sulfur dioxide, nitrogen dioxide, lead, reactive volatile organic compounds (VOC), and ozone.

AFS replaces the former Compliance Data System (CDS), the National Emission Data System (NEDS), and the Storage and Retrieval of Aeromatic Data (SAROAD).

*No listings within half of a mile radius of the subject site.*

PE      Section Seven Tracking System (SSTS)

SSTS evolved from the FIFRA and TSCA Enforcement System (FATES). SSTS tracks the registration of all pesticide producing establishments and tracks annually the types and amounts of pesticides, active ingredients, and devices that are produced, sold or distributed each year.

*No listings within half of a mile radius of the subject site.*

FIFRA      FIFRA/TSCA Tracking System/ National Compliance Database (FTTS/NCDB)

NCDB supports implementation of the Federal Insecticide, Fungicide and Rodenticide Control Act (FIFRA) and the Toxic Substance Control Act (TSCA).

*No listings within half of a mile radius of the subject site.*

**FFIS** Federal Facilities Information System (FFIS)

Federal Facilities Information System (FFIS) contains a list of all Treatment Storage and Disposal Facilities (TSDs) owned and operated by federal agencies.

*No listings within half of a mile radius of the subject site.*

**CICIS** Chemicals in Commerce Information System (CICIS)

Chemicals in Commerce Information System contains an inventory of chemicals manufactured in commerce or imported for Toxic Substances Control Act regulated commercial purposes. CICIS allows EPA to maintain a comprehensive listing of over 70,000 chemical substances that are manufactured or imported and are regulated under TSCA.

*No listings within half of a mile radius of the subject site.*

**FINDS** FINDS EPA Facility Index System

The U.S. Environmental Protection Agency maintains an index system of all facilities which are regulated or have been assigned an identification number for other purposes.

Facilities that have been reported elsewhere in this report will not be included in the listing below.

*No listings within half of a mile radius of the subject site.*

**HWIS** Hazardous Waste Information System

The Department of Toxic Substance Control, California Environmental Protection Agency, maintains a data base keeping track of the movement and disposal of hazardous waste. The data is used to support the Tanner legislation, AB 2948.

Status Codes: EPA Facility Permit Number

Site: U. S. WINDPOWER, INC.  
Address: 17350 PATTERSON PASS RD  
City: LIVERMORE  
Map Loc: 2 - within 1/2 - 3/4 mile SE of the subject  
Status: EPA ID#: CAC000238633

Site: U.S. WINDPOWER - MIDWAY SITE  
Address: 17350 PATTERSON PASS RD  
City: LIVERMORE  
Map Loc: 2 - within 1/2 - 3/4 mile SE of the subject  
Status: EPA ID#: CAL912215421

**UST** Permitted Underground Storage Tanks - State Water Quality Control Board

The Corteses Bill (AB2013), enacted in 1983, required registration of all underground storage tanks (UST) with the State Water Quality Control Board by July 1, 1984. About 176,000 tanks and surface impounds were

registered between 1984 and 1987. An amendment (AB 1413) was passed in 1987, effectively removing the State Board from the registration process starting January 1, 1988. The data reflects the information collected by the state between 1984 and 1987 as well as recent time and includes all tanks and surface impounds in use or closed after 1974.

Home and farm heating fuel tanks with capacities of 1,100 gallons or less and "structures such as sumps, separators, storm drains, catch basins, oil field gathering lines, refinery pipelines, lagoons, evaporation ponds, well cellars, separation sumps, lined and unlined pits, sumps and lagoons" except those defined as UST under HSWA or may be regulated to protect water quality under the Porter-Cologne Water Quality Control Act are excluded.

Site: THOMAS JOE COPELAND  
Address: PO BOX 628  
City: LIVERMORE  
Status: 00000040395 (198798A)

Activity: FARM  
355 gallon, unlined, carbon steel tank (regular), installed in 1974

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